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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/890,432	07/30/2001	Gerhard Spitz	112740-271	1689
29177	7590	10/18/2005	EXAMINER	
BELL, BOYD & LLOYD, LLC P. O. BOX 1135 CHICAGO, IL 60690-1135			SHAH, NILESH R	
			ART UNIT	PAPER NUMBER
			2195	

DATE MAILED: 10/18/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/890,432	Applicant(s) SPITZ, GERHARD	
	Examiner Nilesh Shah	Art Unit 2195	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 July 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 7-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 7-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
     Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 7-12 are presented for examination.

#### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 7 recites the limitation "currently accessing task" in 14 and 16. There is insufficient antecedent basis for this limitation in the claim. Which task is current?

#### ***Claim Rejections - 35 USC § 103***

4. Claims 7-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Toutonghi (5,784,618) in view of William (5,418,956).
5. As per claim 7, Toutonghi teaches the invention substantially as claimed including a method for access to at least one variable in a preemptively multitasking-controlled processor system, the method comprising the steps of:  
providing a task scheduler for processing tasks (abstract; col. 1 lines 45-52; col. 8 lines 21-33);  
providing an access status memory (col. 1 lines 54-59; col. 8 lines 21-30);  
inputting, via an accessing task, a blocking information item into the access status memory before the access to the at least one variable (col. 3 lines 15-30; col. 8 lines 30-40);

checking, via the task scheduler and when there is a task change intended by the task scheduler during the access, the access status memory for an input blocking information item and delaying the intended task change via the task scheduler when the blocking information item is input (col. 2 lines 40-56; col. 3 lines 32-45; col. 9 lines 13-25); inputting a task change information item using the input blocking information item and inputting, via the currently accessing task, a release information item into the access status memory at the end of the access (col. 4 lines 54-65; col. 5 lines 15-25); and initiating the intended task change, via the currently accessing task, when the task change information item is input (col. 1 lines 57-62; col. 11 lines 1-26).

6. Toutonghi does not specifically teach the use of secure access.

William teaches the use of a secure access system (col. 3 lines 5-12).

7. It would have been obvious to one skilled in the art to combine the teachings of William and Toutonghi at the time the invention was made because William's secure system would improve Toutonghi's system by making sure all communications are secure thus making the entire system protected from outside intruders.

8. As per claim 8, Toutonghi teaches a method further comprising the steps of:  
activating a time monitoring system having a time period of at least a duration of the secure access; and terminating the secure access the expiration of the defined time period (col. 3 lines 32-45; col. 9 lines 13-25; col. 11 lines 20-27).

9. As per claim 9, Toutonghi teaches a method further comprising the steps of:

checking contents of the access status memory at the end of the secure access and before the inputting of the release information item (abstract; col. 4 lines 54-65; col. 5 lines 15-25);

deactivating the activated time monitoring system when the task change information item is present and transmitting a technical operating information item which initiates the intended task change to the task scheduler by the currently accessing task (col. 9 lines 13-25; col. 11 lines 20-27).

10. As per claim 10, Toutonghi teaches a method further comprising the steps of:

overwriting contents of the access status memory by the inputting of at least one of the blocking information item, the task change information item and the release information item into the access status memory (col. 4 lines 54-65; col. 5 lines 15-25).

11. As per claim 11, Toutonghi teaches a method further comprising the steps of:

forming the blocking information item, the task change information item and the release information item by at least one single-bit information item (col. 2 lines 40-56; col. 3 lines 32-45; col. 9 lines 13-25).

12. As per claim 12, Toutonghi teaches a method further comprising the steps of:

representing a variable by one of a variable of a software module which is stored in a memory unit and a hardware-related setting information item which is stored in a hardware register (col. 3 lines 32-45; col. 9 lines 13-25; col. 11 lines 20-27).

***Response to Arguments***

13. Applicant's arguments with respect to claims 7-12 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

14. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nilesh Shah whose telephone number is (571)272-3771. The examiner can normally be reached on 9-5. Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng An can be reached on (571)272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Nilesh Shah  
Examiner  
Art Unit 2195

NS

October 5, 2005

  
MENG-AL T. AN  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100